

EXHIBIT “A”

SCOTT P. KESSLER
HOWARD N. WIENER ◊
ROY J. KONRAY
FELIX R. ZYDALLIS ◊◊
WALTER J. CURTIS
ANN M. MERRITT

SPECIAL COUNSEL
ANDREW S. PRINCE
ANTHONY R. GUALANO ◊◊

OF COUNSEL
MICHAEL N. TOBIN
CORNELIUS W. CARUSO JR.
STEVEN J. GREENSTEIN ◊
ARNOLD KOSTER

TOBIN • KESSLER • GREENSTEIN
CARUSO • WIENER • KONRAY

A PROFESSIONAL CORPORATION

136 Central Avenue, Clark, NJ 07066
T (732) 388-5454 • Toll Free (800) 832-6529 • F (732) 388-8711
www.teamlaw.com

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DNC

- ▲ CERTIFIED BY THE SUPREME COURT OF NEW JERSEY AS A CIVIL TRIAL ATTORNEY
- ★ CERTIFIED BY THE SUPREME COURT OF NEW JERSEY AS A WORKERS' COMPENSATION LAW ATTORNEY
- ◆ CERTIFIED BY THE SUPREME COURT OF NEW JERSEY AS A CRIMINAL TRIAL ATTORNEY
- ALSO MEMBER OF NY BAR
- ALSO MEMBER OF FL BAR
- ALSO MEMBER OF PA BAR
- ◆ ALSO MEMBER OF RI BAR
- ◆ ALSO MEMBER OF DC BAR

May 7, 2021

Crum & Foster
305 Madison Avenue
Morristown, NJ 07962

Re: Our Client: Derek Foy
Your Insured: Cowan Equipment Leasing, LLC
Driver: Warren Young
Claim Number: 1337468742
D/A: June 5, 2020
Our File #: 245156

Dear Sir/Madam:

Please be advised that this office represents the above-named individual in his claim for personal injuries sustained on the above date with regard to an accident with your insured.

Enclosed is a copy of the Proof of Service, along with the Summons and Complaint regarding your insured, Cowan Equipment Leasing, LLC and Warren Young. Kindly provide to counsel and have them file an Answer on their behalf.

Thank you for your attention to this matter.

Very truly yours,


ANN M. MERRITT

AMM/mhb
Encls.

Received
MAY 12 2021
Melissa Aumick

1-800-TEAM-LAW
TEAMLAW.COM

OTHER OFFICES
(BY APPOINTMENT ONLY)

Edison (732) 902-2007
New Brunswick (732) 246-7755
Jersey City (201) 653-0101

Newark (973) 622-1122
Orange (973) 672-6551
Perth Amboy (732) 738-7774

Highland Park (732) 738-7774
Plainfield (908) 791-0409
Union City (201) 861-1494

5/12/2021 2:51:18 PM

DEREK J. FOY
vs.
AUDREY L. FOY, ET AL

Plaintiff
Defendant

Superior Court of New Jersey
Law Division
Gloucester County
Docket Number: GLO-L-000377-21

Person to be served (Name & Address):
COWAN EQUIPMENT LEASING LLC
4555 HOLLINS FERRY ROAD
BALTIMORE, MD 21227

Attorney:
Ann M. Merritt, Esq.

AFFIDAVIT OF SERVICE

(For Use by Private Service)



STS2021010946

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Papers Served: Summons, Complaint, Demand for Production of Documents, Demand for Interrogatories, Rule 4:5-1 Certification, CIS and Lawyers Referral List

Service Data:

Served Successfully X Not Served _____ Date: 4/15/2021 Time: 3:36 pm Attempts: _____

_____ Delivered a copy to him / her personally

Name of Person Served and relationship / title:

_____ Left a copy with a competent household member over 14 years of age residing therein

STACEY GREENE

X Left a copy with a person authorized to accept service, e.g. managing agent, registered agent, etc.

AGENT/AUTHORIZED AGENT

Description of Person Accepting Service:

Sex: F Age: 40 Height: 5'5" Weight: 170 Skin Color: WHITE Hair Color: LIGHT BROWN

Comments or Remarks:

Server Data:

Subscribed and Sworn to before me on April 16 2021
by the affiant who is personally known to me.

Michelle M. Lewis
NOTARY PUBLIC



I, Jeff Foreman, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

Signature of Process Server

Date

4-16-21
STATUS, L.L.C.
PO Box 370
Bayville, NJ 08721
(908) 688-1414
Our Job Serial Number: STS-2021010946

DEREK J. FOY

Plaintiff

vs.

AUDREY L FOY, ET AL

Defendant

Superior Court of New Jersey
Law Division
Gloucester County
Docket Number: GLO-L-000377-21

Person to be served (Name & Address):

WARREN YOUNG
PASCIFIC PRIDE COMMERCIAL FUELING STATION (MUTAL
MEETING PLACE)
1498 DENMARK DR
FOLCROFT, PA 19032

Attorney:

Ann M. Merritt, Esq.

AFFIDAVIT OF SERVICE

(For Use by Private Service)



STS2021011983

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Papers Served: Summons, Complaint, Demand for Production of Documents, Demand for Interrogatories, Rule 4:5-1 Certification, CIS and Lawyers Referral List

Service Data:

Served Successfully ☒ Not Served _____ Date: 4/16/2021 Time: 12:02 pm Attempts: _____

☒ Delivered a copy to him / her personally

Name of Person Served and relationship / title:

_____ Left a copy with a competent household member over 14 years of age residing therein

_____ Left a copy with a person authorized to accept service, e.g. managing agent, registered agent, etc.

Description of Person Accepting Service:

Sex: M Age: 45 Height: 6'2" Weight: 205 Skin Color: BLACK Hair Color: BLACK

Comments or Remarks:**Server Data:**

Subscribed and Sworn to before me on 04/26/2021
by the affiant who is personally known to me.

Ashlee R. Laperriere
NOTARY PUBLIC

Commonwealth of Pennsylvania - Notary Seal
ASHLEE R LAPERRIERE - Notary Public
Delaware County
My Commission Expires Oct 11, 2021
Commission Number 1321976

I, Ronald Reid, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

Signature of Process Server

Date

STATUS, L.L.C.
PO Box 370
Bayville, NJ 08721
(908) 688-1414
Our Job Serial Number: STS-2021011983

Ann M. Merritt, Esq.
 Attorney I.D. No.: 028551999
**TOBIN, KESSLER, GREENSTEIN,
 CARUSO, WIENER & KONRAY**
 A Professional Corporation
 136 Central Avenue
 Clark, New Jersey 07066
 732-388-5454
 Attorneys for Plaintiff
Our File No: 245156

<p>DEREK J. FOY</p> <p>Plaintiff,</p> <p>vs.</p> <p>AUDREY L. FOY, WARREN YOUNG, COWAN EQUIPMENT LEASING LLC, JOHN DOE #1, JOHN DOE #2-10, JANE ROE #1-10, ABC COMPANY #1 and ABC COMPANY #2-10, said names being fictitious,</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: GLOUCESTER COUNTY</p> <p>Docket No.: GLO-L-0377-21</p> <p><u>CIVIL ACTION</u></p> <p>SUMMONS</p>
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From the State of New Jersey, to:

COWAN EQUIPMENT LEAING LLC

The Plaintiff(s), named above, have filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at <http://www.judiciary.state.nj.us/pro se/10153 deptyclerklawref.pdf>. If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, NJ

08625. A \$175.00 filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to Plaintiff's attorney whose name and address appear above, or to Plaintiff(s), if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief Plaintiff's demand, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

/s/ Michelle M. Smith, Esq., Clerk
MICHELLE M. SMITH, ESQ., CLERK

Date: April 9, 2021

ADDRESS FOR SERVICE:

COWAN EQUIPMENT LEASING LLC
4555 Hollins Ferry Road
Baltimore, MD 21227

Ann M. Merritt, Esq.
 Attorney I.D. No.: 028551999
**TOBIN, KESSLER, GREENSTEIN,
 CARUSO, WIENER & KONRAY**
 A Professional Corporation
 136 Central Avenue
 Clark, New Jersey 07066
 732-388-5454
 Attorneys for Plaintiff
Our File No: 245156

<p>DEREK J. FOY</p> <p>Plaintiff,</p> <p>vs.</p> <p>AUDREY L. FOY, WARREN YOUNG, COWAN EQUIPMENT LEASING LLC, JOHN DOE #1, JOHN DOE #2-10, JANE ROE #1-10, ABC COMPANY #1 and ABC COMPANY #2-10, said names being fictitious,</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: GLOUCESTER COUNTY</p> <p>Docket No.: GLO-L-0377-21</p> <p><u>CIVIL ACTION</u></p> <p>SUMMONS</p>
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From the State of New Jersey, to:

WARREN YOUNG

The Plaintiff(s), named above, have filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at <http://www.judiciary.state.nj.us/pro se/10153 deptyclerklawref.pdf>. If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, NJ

08625. A \$175.00 filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to Plaintiff's attorney whose name and address appear above, or to Plaintiff(s), if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief Plaintiff's demand, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

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/s/ Michelle M. Smith, Esq., Clerk
MICHELLE M. SMITH, ESQ., CLERK

Date: April 9, 2021

ADDRESS FOR SERVICE:

WARREN YOUNG
1212 Terra Hill Drive Apt 2
Wilmington, DE 19809

GLOUCESTER COUNTY COURTHOUSE
GLOUCESTER COUNTY CIVIL DIVISION
1 NORTH BROAD ST
WOODBURY NJ 08096

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (856) 878-5050
COURT HOURS 8:30 AM - 4:30 PM

DATE: APRIL 08, 2021
RE: FOY DEREK VS FOY AUDREY
DOCKET: GLO L -000377 21

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON JOHN C. EASTLACK JR

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 103
AT: (856) 878-5050 EXT 15265.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: ANN M. MERRITT
TOBIN KESSLER GREENSTEIN CARUS
136 CENTRAL AVENUE
3RD FLOOR
CLARK NJ 07066

ECOURTS

Ann M. Merritt, Esq., Attorney ID No.:028551999
TOBIN, KESSLER, GREENSTEIN, CARUSO,
WIENER & KONRAY
136 Central Avenue
Clark, NJ 07066
(732) 388-5454
Attorneys for Plaintiff

Plaintiff,

DEREK J. FOY,

vs.

Defendants,

AUDREY L. FOY, WARREN YOUNG,
COWAN EQUIPMENT LEASING LLC,
JOHN DOE #1-10, JANE ROE #1-
10 and ABC COMPANY #1-10,
said names being fictitious,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: GLOUCESTER COUNTY

Docket No.

CIVIL ACTION

COMPLAINT, JURY DEMAND,
DESIGNATION OF TRIAL COUNSEL,
DEMAND FOR PRODUCTION OF
DOCUMENTS, DEMAND FOR ANSWERS TO
INTERROGATORIES

Plaintiff, Derek J. Foy, residing at 365 Carroll Street in
the Township of Orange, County of Essex and State of New Jersey,
by way of Complaint against the Defendants, says:

FIRST COUNT

1. On or about the 5th day of June 2020, Plaintiff, Derek
J. Foy was a passenger in a motor vehicle owned and operated in
a negligent manner by Defendant, Audrey L. Foy, which vehicle
was traveling southbound on the New Jersey Turnpike at or near
milepost 11.9 in the Township of Woolwich, County of Gloucester
and State of New Jersey, when said vehicle was involved in a
collision with a vehicle owned by Defendant, Cowan Equipment

Leasing LLC and being operated in a negligent manner by their agent, servant and/or employee, Defendant, Warren Young.

2. As a direct and proximate result of the negligence of the Defendants, Audrey L. Foy, Warren Young and Cowan Equipment Leasing LLC as aforesaid, Plaintiff suffered serious physical and emotional injuries of both a temporary and permanent nature, considerable pain, anguish and suffering, shock, loss of wages and other special damages.

WHEREFORE, Plaintiff demands judgment jointly, severally or in the alternative, against all Defendants on this Count for damages, interest and costs.

SECOND COUNT

1. Plaintiff repeats the allegations contained in the First Count of this Complaint and makes it a part hereof.

2. The Defendants, John Doe #1-10, Jane Roe #1-10 and ABC Company #1-10 are fictitious names intended to identify any and all parties, including individuals, corporations and/or other entities whose identities are presently unknown to Plaintiff, who together with the named Defendants were responsible for the ownership, operation, control, maintenance and leasing of the vehicles involved in the collision referred to herein or who in anyway caused or contributed to Plaintiff's injuries.

3. As a direct and proximate result of the joint and several negligence of the Defendants aforesaid, Plaintiff suffered serious physical and emotional injuries of both a temporary and permanent nature, considerable pain, anguish and suffering, shock, loss of wages and other special damages.

WHEREFORE, Plaintiff demands judgment jointly, severally or in the alternative against all Defendants on this Count for damages, interest and costs.

TOBIN, KESSLER, GREENSTEIN,
CARUSO, WIENER & KONRAY, P.C.
ATTORNEYS FOR PLAINTIFF

DATED: April 8, 2021

BY: 

ANN M. MERRITT

JURY DEMAND

Plaintiff demands a trial by jury on all Counts in this Complaint.

TOBIN, KESSLER, GREENSTEIN,
CARUSO, WIENER & KONRAY, P.C.
ATTORNEYS FOR PLAINTIFF

DATED: April 8, 2021

BY: 

ANN M. MERRITT

DESIGNATION OF TRIAL COUNSEL

Please take notice that pursuant to R. 4:25-4, Ann M. Merritt, is hereby designated as trial counsel in the above captioned matter for the Law firm of Tobin, Kessler, Greenstein, Caruso, Wiener & Konray, P.C., Attorneys for the Plaintiff, Derek J. Foy.

TOBIN, KESSLER, GREENSTEIN,
CARUSO, WIENER & KONRAY, P.C.
ATTORNEYS FOR PLAINTIFF

DATED: April 8, 2021

BY: 

ANN M. MERRITT

DEMAND FOR ANSWERS TO INTERROGATORIES

Demand is hereby made on the Defendants to answer fully and responsively Form C Uniform and Form C(1) Uniform Interrogatories.

TOBIN, KESSLER, GREENSTEIN,
CARUSO, WIENER & KONRAY, P.C.
ATTORNEYS FOR PLAINTIFF

DATED: April 8, 2021

BY: 

ANN M. MERRITT

RULE 4:5-1 CERTIFICATION

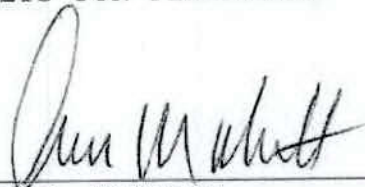
Pursuant to Rule 4:5-1, the undersigned hereby certifies that at the time of filing this Complaint, the matter in controversy is not the subject of any other action pending in any Court and/or Arbitration proceeding.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

TOBIN, KESSLER, GREENSTEIN,
CARUSO, WIENER & KONRAY, P.C.
ATTORNEYS FOR PLAINTIFF

DATED: April 8, 2021

BY:


ANN M. MERRITT

DEMAND FOR PRODUCTION OF DOCUMENTS

Pursuant to Rule 4:18-1, the Plaintiff, hereby demands that the Defendants produce the following documentation within thirty (30) days as prescribed by the Rules of Court. Please be advised that the following requests are ongoing and continuing in nature and the Defendants are, therefore, required to continuously update its responses thereto as new information or documentation comes into existence:

1. The amounts of any and all insurance coverage covering the Defendants, including but not limited to, primary insurance policies, secondary insurance policies and/or umbrella insurance policies. For each such policy of insurance, supply a copy of the declaration page therefrom.

2. Copies of any and all documentation or reports, including but not limited to, police reports, accident reports and/or incident reports concerning the happening of the incident in question or any subsequent investigation of same.

3. Copies or duplicates of any and all photographs, motion pictures, videotapes, films, drawings, diagrams, sketches or other reproductions, descriptions or accounts concerning the individuals involved in the incident in question, the property damage sustained, the accident scene, or anything else relevant to the incident in question.

4. Copies of any and all signed or unsigned statements, documents, communications, and/or transmissions, whether in writing, made orally or otherwise recorded by any mechanical or electronic means, made by any party to this action, any witness, or any other individual, businesses, corporation, investigative authority or other entity concerning anything relevant to the incident in question.

5. Copies of any and all documentation, including but not limited to, safety manuals, statutes, rules, regulations, books, and/or industry standards which refer to, reflect or otherwise relate to the incident in question or any potential defense to the action in question.

6. Copies of any and all discovery received from any other parties to the action in question.

7. Copies of any and all reports on the Plaintiff received by the Defendants, or any other party to this suit, from either the Central Index Bureau (C.I.B.) or from any other source.

8. Copies of any and all medical information and/or documentation concerning Plaintiff in this matter, whether it concerns medical condition or treatment which took place before, during or after the time of the incident in question.

9. Copies of any and all records of any type subpoenaed by the Defendants or received from any other source concerning the Plaintiff for the incident in question.

10. Copies of all cellular phone bills of any and all phones to which each Defendant had access on the date of the subject accident.

11. Copies of the entire Property Damage files maintained by each Defendant, or their respective insurance companies,

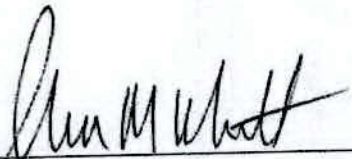
including but not limited to photos and repair estimates for all vehicles involved in the subject accident.

Please be advised that the Plaintiff hereby objects to the taking of any photographs, x-rays or other reproductions concerning the Plaintiff or the Plaintiff's injuries at the time of any defense examination.

TOBIN, KESSLER, GREENSTEIN,
CARUSO, WIENER & KONRAY, P.C.
ATTORNEYS FOR PLAINTIFF

DATED: April 8, 2021

BY:


ANN M. MERRITT

Civil Case Information Statement

Case Details: GLOUCESTER | Civil Part Docket# L-000377-21

Case Caption: FOY DEREK VS FOY AUDREY
Case Initiation Date: 04/08/2021
Attorney Name: ANN M. MERRITT
Firm Name: TOBIN KESSLER GREENSTEIN CARUSO
WIENER
Address: 136 CENTRAL AVENUE 3RD FLOOR
CLARK NJ 07066
Phone: 7323885454
Name of Party: PLAINTIFF : Foy, Derek, J
Name of Defendant's Primary Insurance Company
(if known): MERCHANTS INSURANCE GROUP

Case Type: AUTO NEGLIGENCE-PERSONAL INJURY (NON-
VERBAL THRESHOLD)

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

**Do you anticipate adding any parties (arising out of same
transaction or occurrence)?** NO

Are sexual abuse claims alleged by: Derek J Foy? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

**Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:**

Do you or your client need any disability accommodations? NO
If yes, please identify the requested accommodation:

Will an interpreter be needed? NO
If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the
court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

04/08/2021
Dated

/s/ ANN M. MERRITT
Signed